

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES E. SMITH,

No. C 08-1157 SI (pr)

Petitioner,

JUDGMENT

v.


HEDGPETH, warden,

Respondent.

This action is dismissed without prejudice to petitioner filing a second or successive petition if he ever obtains permission from the U.S. Court of Appeals for the Ninth Circuit to do so.

IT IS SO ORDERED AND ADJUDGED.

DATED: July 18, 2008



SUSAN ILLSTON
United States District Judge